

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DISTRICT**

DON ASCARE,)
Plaintiff,)
v.) No. 4:10CV1979(JCH)
MASTERCARD INTERNATIONAL)
INCORPORATED, d/b/a MasterCard)
Worldwide,)
Defendant.)

PLAINTIFF'S REQUEST FOR JURY TRIAL

COMES NOW Plaintiff, Don Ascare, by and though counsel, and hereby request that the above-styled cause of action be set for a jury trial.

CAPES, SOKOL, GOODMAN & SARACHAN, P.C.

By: /s/ S. Todd Hamby
S. Todd Hamby #40367MO
7701 Forsyth Boulevard, 12th Floor
Saint Louis, Missouri 63105
Telephone: (314) 721-7701
Facsimile: (314) 505-5481
hamby@capessokol.com
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 4th day of February, 2011 the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon:

William M. Lawson, Esq.
Whitney D. Pile, Esq.
The Lowenbaum Partnership LLC
222 S. Central Ave., Suite 901
St. Louis, Missouri 63105

/s/ *S. Todd Hamby*